

WA
540
ADG
B6 ✓
IN THE SENATE OF THE UNITED STATES.

FEBRUARY 3, 1880.—Ordered to be printed.

[To accompany joint resolution H. Res. 189.]

ORDINANCES AS REVISED, AMENDED, AND ADOPTED BY
THE BOARD OF HEALTH, NOVEMBER 19, 1875.

AN ORDINANCE to revise, consolidate, and amend the ordinances of the Board of Health, to declare what shall be deemed nuisances injurious to health, and to provide for the removal thereof.

Be it ordained and enacted by the Board of Health of the District of Columbia, That filth, the contents of cess-pools, offal, garbage, foul water, dye-water, refuse from manufactories, ordure, urine, stable-manure, decayed animal or vegetable matter, or other offensive substance detrimental to health, thrown, placed, or allowed to remain, in or upon any street, avenue, alley, sidewalk, gutter, public reservation, or open lot, in the cities of Washington or Georgetown, or in the more densely populated suburbs of said cities, are hereby declared nuisances injurious to health; and any person who shall commit, create, or maintain the aforesaid nuisances, or either of them, shall, upon conviction, be fined not less than five nor more than twenty-five dollars for every such offense.

Filth or other
offensive sub-
stance thrown in
streets, avenues,
or public places.

SEC. 2. That the carrying and transporting of bones, hides, fish, garbage, offal, or other animal or vegetable substances, in decomposing and offensive condition, in any other than covered and inclosed vehicles, through any street, avenue, alley, or public place, within the cities of Washington or Georgetown, or the more densely populated suburbs of said cities, is hereby declared a nuisance injurious to health; and any person who shall cause, commit, create or maintain such nuisance, shall, upon conviction, be fined not less than two nor more than twenty-five dollars for every such offense.

Carrying offen-
sive substances
in open vehicles,
through streets,
avenues, &c.

SEC. 3. That manure accumulated in great quantities; manure, offal, or garbage piled or deposited within 300 feet of any place of worship, or of any dwelling, or unloaded along the line of any railroad, or in any street or public way; cars or flats loaded with manure, or other offensive matter, remaining or standing on any railroad, street, or highway in the cities of Washington or Georgetown, or the more densely populated suburbs of said cities, are hereby declared nuisances injurious to health; and any person who shall pile or deposit manure, offal, or garbage, or any offensive or nauseous substance within 300 feet of any inhabited dwelling, within the limits of said cities, or their said suburbs; and any person who shall unload, discharge, or put

Manure, offal,
and other offen-
sive substances
in large quanti-
ties within three
hundred feet of
any dwelling, or
along line of
street, railroad,
&c.

upon or along the line of any railroad, street or highway or public place, within said cities or their said suburbs, any manure, garbage, offal, or other offensive or nauseous substance, within 300 feet of any inhabited dwelling, or who shall cause or allow cars or flats loaded with, or having in or upon them any such substance to remain or stand in or along any railroad, street or highway, within the limits of said cities or their said suburbs, within 300 feet of any inhabited dwelling, and who shall fail, after notice duly served by this board, to remove the same, shall, upon conviction thereof, be fined not less than five, nor more than twenty-five dollars for every such offense.

Filling lots with filth and offensive substances, or removing surface of lots so filled.

SEC. 4. That the filling, leveling, or raising the surface of any ground or lot within the cities of Washington or Georgetown, or the more densely populated suburbs of said cities, with animal or vegetable substances, filth gathered in cleaning yards or streets, or waste material from mills or factories, or the removal of the surface of any ground or lot within said cities or their said suburbs, filled with such offensive matter or substance, in such manner as to cause noisome odors or noxious gases to arise, are hereby declared nuisances injurious to health; and any person who shall cause, commit, create, or maintain such nuisance, shall, upon conviction, be fined not less than five nor more than twenty dollars for every such offense.

Defiling or poisonous substances thrown into spring, well, or river water, public reservoir, or water pipe.

SEC. 5. That throwing or placing any defiling or poisonous substance, decayed animal or vegetable matter or filth into, or causing or allowing the same to pass or enter into, any spring, well, or river water, used by the public for drinking or cooking purposes, or into the water of any public reservoir or water-pipe within the District of Columbia, whereby such water is rendered impure and unwholesome, are hereby declared nuisances injurious to health; and any person who shall commit or create such nuisance shall, upon conviction, be fined not less than five nor more than fifty dollars for every such offense.

Impure and unwholesome wells or springs.

SEC. 6. That any wells, springs, or waters used for drinking or cooking purposes, which are impure and unwholesome, or which have been rendered impure and unwholesome by reason of any defiling or poisonous substance, are hereby declared nuisances injurious to health; and any person who shall maintain or continue such nuisance, after due notice from this board to abate the same, shall, upon conviction, be fined not less than ten nor more than fifty dollars for every such offense.

Stagnant water on lots and marshy land.

SEC. 7. That stagnant water upon any ground or lot within the cities of Washington or Georgetown, or the more densely populated suburbs of said cities, and any marshy land, the same being made such by defective drainage or otherwise, are hereby declared nuisances injurious to health; and any person causing, creating, or maintaining such nuisance, who shall, after due notice from this board, refuse or neglect to abate the same, shall, upon conviction, be fined not less than ten nor more than one hundred dollars for every such offense.

SEC. 8. That ailantus trees, the flowers of which produce offensive and noxious odors, in bloom, in the cities of Washington or Georgetown, or the more densely populated suburbs of said cities, are hereby declared nuisances injurious to health; and any person maintaining such nuisance, who shall fail, after due notice from this board, to abate the same, shall, upon conviction, be fined not less than five nor more than ten dollars for every such offense.

Ailantus trees, in bloom, producing offensive and noxious odors.

SEC. 9. That any dwelling-house or building wherein people live, congregate, or assemble, which is deficient in ventilation, drainage, or other provision essential to health, which has a leaky roof or is below grade so as to render the walls thereof damp and the rooms unhealthy, or is decayed or filthy, and premises which are filthy and offensive, are hereby declared nuisances injurious to health; and any person who shall create or maintain such nuisance, and who shall fail, after due notice from this board, to abate the same, shall, upon conviction, be fined not less than five nor more than fifty dollars for every such offense.

Filthy, badly ventilated, undrained, damp, and unhealthy dwellings, &c.

SEC. 10. That drain-pipes, soil-pipes, passages into sewers, or connections between any sewer and any ground or building, not of adequate and sufficient size to allow the free and entire passage of all the material that enters the same, or not provided with good and sufficient sewer-traps, so as to prevent the escape of noisome odors and noxious gases therefrom, are hereby declared nuisances injurious to health; and any person creating or maintaining either of said nuisances, who shall fail, after due notice from this board, to abate the same, shall, upon conviction, be fined not less than five nor more than twenty-five dollars for every such offense.

Inadequate and insufficient drain-pipes, soil-pipes, and passages into sewers.

SEC. 11. That all water-closets and privies connected with any house, building, or premises, within the District of Columbia, in or upon which people live, or where they congregate or assemble, or any kind of business is done, kept in a filthy and offensive condition, or from which noisome odors and noxious gases arise, and all water-closets located within and being a part of any such house or building not provided with proper sewer-traps so as to prevent the return and escape of noxious gases and offensive odors from any public or private sewer connected therewith, are hereby declared nuisances injurious to health; and any person creating, keeping, or maintaining such nuisance, shall, upon conviction, be fined not less than five nor more than twenty-five dollars for every such offense.

Filthy and offensive water-closets and privies.

SEC. 12. That any privy within the cities of Washington or Georgetown, or the more densely-populated suburbs of said cities, including Uniontown or Anacostia, and Mount Pleasant, in the District of Columbia, constructed of other material than brick, cement, or wood, or which is not provided with a sufficient box, bucket, or vessel for the reception of filth, and the inside of which is not at least five feet distant from the line of any adjoining lot, and at least two (2) feet distant from any street, lane, alley, camp, square, or public place, or public or private passage-way; and any privy so constructed that it cannot be conveniently approached and cleaned, or in such manner that each and

Privies unlawfully and improperly constructed or located.

Leaky privies,
privy-boxes,
vaults, &c.

every vault, box, bucket or vessel thereof is not made tight and close, so that the contents thereof cannot escape therefrom, except as may be permitted by means of a passage-way or conduit under ground, for the purpose of carrying away the contents of such vault, box, or vessel into any common sewer or drain, is hereby declared a nuisance injurious to health; and any person who shall create, maintain or continue such nuisance, and shall fail, after due notice from this board, to abate or remedy the same, shall, upon conviction, be fined not less than five nor more than twenty dollars for every such offense.

Fecal matter
remaining in
privies.

SEC. 13. That fecal matter, not thoroughly deodorized and disinfected, remaining in privies in the District of Columbia, is hereby declared a nuisance injurious to health; and the board of health shall, upon the receipt of complaint in writing, cause any privy to be inspected, and, if necessary, cleaned by the persons authorized for said purpose; and any person owning or occupying premises on which any privy is situated, who shall refuse to permit the same to be inspected and cleaned at the times designated by said board, or whenever necessary, shall, upon conviction, be fined not less than five dollars for every such offense.

Privies to be
inspected and
cleaned.

No person to
clean privies for
hire unless au-
thorized by
board of health.

SEC. 14. That it shall be unlawful for any person other than such as shall be authorized by this board, to clean any privy in the cities of Washington or Georgetown, or the more densely populated suburbs of said cities, for hire; or for any person to employ any other than a regular appointee or contractor of this board for such purpose; and any person so offending shall, upon conviction, be fined not less than ten dollars for every such offense.

Depositing con-
tents of privy in
place not approv-
ed by board of
health.

SEC. 15. That it shall be unlawful for any person to deposit the contents of any privy in any place other than such as may be approved by this board; and any person so offending shall, upon conviction, be fined not less than five nor more fifty dollars for every such offense.

Bucket system
of removing
night-soil and
transporting con-
tents in carts,
&c., not air-tight,
through streets,
&c.

SEC. 16. That the system heretofore in use of removing night-soil, cleaning privies, privy-boxes, vaults, sinks, and cess-pools within the cities of Washington and Georgetown, and the more densely populated suburbs of said cities, by buckets or other process agitating and exposing the contents thereof in the open air, and of transporting said contents in carts or other vehicles not air-tight, through the streets, avenues, alleys, and other public places within said cities, and their said suburbs, is hereby declared a nuisance injurious to health; and that, from and after the 15th day

On and after
October 15, 1873,
contents of priv-
ies, &c., to be re-
moved and trans-
ported only by
air-tight appara-
tus, &c.

of October, A. D. 1873, no part of the contents (except substances not soluble in water) of any privy, privy-box, vault, sink, or cess-pool within said cities or their said suburbs, shall be removed therefrom, nor shall the same be transported through any of the streets, avenues, alleys, or other public places of said cities or of their said suburbs, except as the same shall be removed and transported by means of some air-tight apparatus, pneumatic or other process, so as to prevent the said contents from being agitated or exposed in the open air during said process of removal or transportation; and any person violating the provisions

of this section shall, upon conviction thereof, be fined not less than ten nor more than fifty dollars for every such offense.

SEC. 17. That the keeping, herding, and feeding of hogs, ^{Keeping and feeding of hogs in pens, &c.} in pens or otherwise, within the cities of Washington or Georgetown, or the more densely populated suburbs of said cities, is hereby declared a nuisance injurious to health; and any person creating or maintaining such nuisance, who shall fail, after due notice from this board, to abate the same, shall, upon conviction, be fined not less than five nor more than twenty-five dollars for every such offense.

SEC. 18. That filthy and unwholesome stables, sheds, ^{Filthy and unwholesome stables, sheds, and pens.} pens, or places where cows, horses, mules, or other animals are kept, within the cities of Washington or Georgetown, or the more densely populated suburbs of said cities, are hereby declared nuisances injurious to health; and any person creating or maintaining such nuisance, who shall fail, after due notice from this board, to abate the same, shall, upon conviction, be fined not less than five nor more than twenty-five dollars for every such offense.

SEC. 19. That any animal affected by glanders or other ^{Glandered or diseased animals remaining in stables, pens, &c.} contagious or pestilential disease, kept or remaining in any stable, shed, pen, or place, within the cities of Washington or Georgetown or the more densely populated suburbs of said cities, is hereby declared a nuisance injurious to health; and any person keeping or maintaining such nuisance, who shall fail, after due notice from this board, to abate the same, shall, upon conviction, be fined not less than five nor more than twenty-five dollars for every such offense.

SEC. 20. That all establishments, or places of business ^{Filthy and noisome tanneries, &c.} for tanning, skinning, scouring, or dressing hides or leather, within the District of Columbia, in a filthy condition, or from which noisome odors and noxious gases arise, are hereby declared nuisances injurious to health; and any person who shall erect, create, maintain, or continue such nuisance, and who shall fail, after due notice from this board, to abate the same, shall, upon conviction, be fined not less than ten nor more than fifty dollars for every such offense.

SEC. 21. That the boiling of offal, swill, bones, fat, tallow, ^{Boiling swill, burning bones, and other offensive and noxious trades, &c.} or lard; the crushing, grinding or burning of bones or shells; cleansing guts; making glue from any dead animal or part thereof; making or boiling varnish or oil; making lampblack, turpentine, or tar; distilling ardent, alcoholic, or fermented spirits; storing or keeping scraps, fat, grease, or other offensive animal matter; rendering or trying out dead, undressed, and unslaughtered animals, or any other business or trade whereby noisome stenches and odors and noxious gases arise or are generated, within the cities of Washington or Georgetown, or the more densely populated suburbs of said cities, are hereby declared nuisances injurious to health; and any person who shall cause, erect, create, maintain, or continue any such nuisance, and who shall fail, after due notice from this board, to abate the same, shall, upon conviction thereof, be fined not less than

ten nor more than one hundred dollars for every such offense.

Unclean and filthy slaughter-houses.

SEC. 22. That unclean and filthy slaughter-houses, rooms, buildings, or places where sheep, hogs, cattle, or other animals are slaughtered, within the District of Columbia, are hereby declared nuisances injurious to health; and any person creating, keeping, or maintaining such nuisance, who shall fail, after due notice from this board, to abate the same, shall, upon conviction, be fined not less than ten nor more than fifty dollars for every such offense.

Crushing or breaking stone, creating offensive dust, &c.

SEC. 23. That the crushing or breaking of stone within the cities of Washington or Georgetown, or the more densely populated suburbs of said cities, by machines or otherwise, in such manner as to create offensive and deleterious dust, is hereby declared a nuisance injurious to health; and any person creating or maintaining said nuisance, who shall fail, after due notice from this board, to remove or abate the same, shall, upon conviction, be fined not less than ten nor more than fifty dollars for every such offense.

Undressed dead animals remaining in cities of Washington and Georgetown.

SEC. 24. That undressed dead animals being or lying in any part of the cities of Washington or Georgetown, or the more densely populated suburbs of said cities, viz: Any of the horse, mule, or jack kind, or any cow, goat, calf, sheep, dog, or swine, are hereby declared nuisances injurious to health; and any person owning, possessing, or controlling any such dead animal, or any person who shall knowingly place or allow such dead animal to remain in any part of said cities or their said suburbs, and who shall fail to give notice thereof to the board of health within eight hours after the death of said animal, shall, upon conviction, be fined not less than five nor more than ten dollars for every such offense.

Unmuzzled and hydrophobic dogs going at large to be killed by owner, or taken up and shot by poundmaster if not redeemed.

SEC. 25. That unmuzzled dogs, going upon any street, avenue, or other public place, between the fifteenth day of May and the fifteenth day of October in any year, mad dogs, and dogs bitten by hydrophobic dogs, are hereby declared nuisances injurious to health; and any person owning or keeping any dog who shall allow the same to go unmuzzled upon any street, alley, or other public place, between the fifteenth day of May and the fifteenth day of October in any year, or who shall refuse to kill, or to cause to be killed, any such dog owned or kept by him, which has gone mad, or given symptoms of hydrophobia, or who shall omit to confine any such animal exposed to such disease, or which has been bitten by a hydrophobic dog or animal, shall be deemed guilty of keeping and maintaining a nuisance, and, upon conviction thereof, shall be fined not less than one nor more than twenty-five dollars; and any dog going at large between the fifteenth day of May and the fifteenth day of October in any year, without a proper muzzle, shall be taken up by the poundmaster, who shall charge the owner of the same one dollar for its redemption; and every such dog not redeemed within twenty-four hours after having been taken up as aforesaid shall be liable to be shot by said poundmaster.

SEC. 26. That it shall be the duty of the health-officer appointed by this board, upon receiving information or obtaining knowledge of the existence of anything or things herein declared to be nuisances, or anything or things which may hereafter be declared to be nuisances by any ordinance or resolution enacted or adopted by this board, to notify the person or persons committing, creating, keeping, or maintaining the same, to remove, or cause to be removed, the same within twenty-four hours, or such other reasonable time as may be determined by this board, after such notice be duly given; and the same be not removed by such person or persons within the time prescribed in said notice, it shall be the duty of the health-officer aforesaid to remove, or cause to be removed, such nuisance or nuisances, and all costs and expenses of such removal shall be paid by the persons committing, creating, keeping, or maintaining such nuisance or nuisances; and if the said costs and expenses thus accruing shall not be paid within ten days after such removal by said health-officer, the same shall be collected from the person or persons committing, creating, keeping, or maintaining such nuisances by suit at law.

The health-officer to abate nuisances after notice to party liable, and costs of removal to be collected from said party by suit at law.

SEC. 27. That all fines and penalties imposed by any section of this ordinance shall be collected by prosecution in the police or other proper court of the District of Columbia, by information filed in said court, at the instance of the board of health; and whenever the nuisance complained of is set forth as continuing and existing, and is shown to be such to the satisfaction of the court before whom the person creating or maintaining said nuisance is tried, the party so offending shall, upon conviction thereof, in addition to the fine imposed, be ordered by said court to abate or remove said nuisance.

Fines to be collected by information filed in police or other court at instance of the board of health. Court to order abatement of nuisances.

SEC. 28. That all ordinances, or parts of ordinances, of this board, inconsistent or in conflict with the foregoing provisions of this ordinance are hereby repealed.

Repeal of inconsistent ordinances.

Passed November 19, 1875.

AN ORDINANCE to amend "An ordinance to prevent domestic animals from running at large within the cities of Washington and Georgetown, passed by the Board of Health May 19, 1871."

Be it ordained and enacted by the Board of Health of the District of Columbia, That domestic animals shall not be permitted to run at large within the limits of the cities of Washington and Georgetown, and all domestic animals found running at large within the limits of said cities shall be taken up and impounded.

SEC. 2. That every animal taken up and impounded as aforesaid, within forty-eight hours after such impounding, if not claimed, and the charges for taking up, impounding, and keeping the same paid, shall be sold at public auction; and the poundmaster appointed by this board, as hereinafter provided, is hereby authorized to act as auctioneer at said sale.

SEC. 3. That the proceeds of such sale shall be paid over to the Treasurer of the board, who shall give duplicate receipts therefor, one copy of the same to be retained by the officer selling such animals, and the other copy to be by said officer filed with the secretary of the board;

and it shall be the duty of said treasurer to keep an accurate account of all moneys received by him under the provisions of this ordinance, and to report the same from time to time as required by the board.

SEC. 4. That all moneys received by said Treasurer from the sale of animals, as aforesaid, shall, if demanded by the owner of such animals, at any time within one year from the sale thereof, upon satisfactory proof that such claimant was the owner of such animal sold as aforesaid, after deduction of charges and expenses, as hereinafter specified, of taking up, and impounding, and keeping such animals, be paid to such claimant; otherwise said moneys shall be used by this board for sanitary purposes within and for the benefit of the District of Columbia.

SEC. 5. That the charges for taking up and impounding domestic animals found running at large within the cities of Washington and Georgetown shall be as follows, to wit: For each horse, mule, bull, steer, cow, calf, heifer, two dollars; and for each sheep, goat, hog, one dollar; and for each goose, fifty cents; and, in addition to said several sums, the charges for keeping said animals shall be the reasonable and necessary expenses thereof, to be paid by owner.

SEC. 6. That no person shall break open, or in any manner, directly or indirectly, aid or assist in breaking open, any pound established by the Board of Health, or take or let any animal out of such pound, without the consent of the officer keeping the same; nor shall any person or persons hinder, delay, or obstruct any person or persons engaged in driving or carrying to such pound any animal or animals liable to be taken up or impounded under the provisions of this ordinance; and any person violating the provisions of this section shall be punished, upon conviction thereof, by a fine of not less than five dollars nor more than twenty-five dollars for each and every violation.

SEC. 7. That there shall be appointed by the Board of Health a poundmaster, whose duty it shall be to take up and impound all domestic animals found running at large within the cities of Washington and Georgetown, to keep safely and carefully all property pertaining to said pound, and all animals impounded therein; and to report from time to time, through the health officer, as required by this board, the condition of said pound, and what repairs, if any, are needed; and the number and description of the animals therein impounded, and what disposition has been made of the same; and to report all moneys received by him under the provisions of this ordinance. And it shall be the further duty of said poundmaster to pay over, daily, all moneys received as aforesaid to the health-officer, taking receipt therefor, and said poundmaster shall give good and sufficient bonds for the proper discharge of his several duties as herein provided.

SEC. 8. That the poundmaster appointed by this board shall keep a register of all animals taken up by him, with an accurate description of the same, which shall at all times be open to the inspection of the public; and the said poundmaster is hereby forbidden to deliver any animal taken up and impounded to any person applying for the same unless such person shall present good and sufficient evidence of his ownership or right to the possession of said animal; and no sale of any animal or animals impounded as aforesaid shall be made until due public notice by advertisement in at least one newspaper on such sale shall have been given, together with a description of the animal or animals to be sold, as hereinbefore provided.

SEC. 9. That any ordinance or part of an ordinance heretofore passed by the Board of Health of the District of Columbia, inconsistent with the foregoing, be, and the same is hereby, repealed.

AN ORDINANCE to prevent the sale of unwholesome food in the cities of Washington and Georgetown.

Be it ordained and enacted by the Board of Health of the District of Columbia, That no person shall knowingly sell, or cause to be sold, within the cities of Washington or Georgetown, any impure, diseased, decayed, or unwholesome provisions, nor shall any person fraudulently adulterate, for the purpose of sale within said cities, any bread or other material intended to be used for food with any substance of a poisonous character, or any substance injurious to health; and any person violating the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than ten nor more than fifty dollars for each and every such offense.

SEC. 2. That no person shall offer for sale within the cities of Washington or Georgetown any liquor used for drink, whether malt, vinous, or ardent, or the milk of cows or goats, intended to be used for food or drink, which has been adulterated with any poisonous or deleterious ingredient; and any person violating the provisions of this section shall, upon conviction, be punished by a fine of not less than ten nor more than fifty dollars for each and every such offense.

SEC. 3. That no person shall convey into the cities of Washington or Georgetown, and offer for sale in any part of said cities, any animal or part of animal that may be sickly, diseased, or unwholesome, or which may have died from disease or accident, or any fish, or vegetables not fresh, sound, and fit for food; and any person violating the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than five nor more than twenty-five dollars for each and every such offense.

SEC. 4. That no person shall slaughter any cattle for the purpose of sale as food within the cities of Washington and Georgetown when such cattle are in a feverish or diseased condition; and any person violating the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than five nor more than twenty-five dollars for each and every such offense.

SEC. 5. That no person, whether owner, manager, keeper of, agent, bar-tender, or clerk, in any saloon, restaurant, boarding-house, or eating-house, located within the cities of Washington or Georgetown, shall offer for sale as food or drink anything poisonous or unwholesome; and any person violating the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than five nor more than twenty-five dollars for each and every such offense.

SEC. 6. That no person owning, renting, leasing, or occupying any stall, room, or stand where meats or vegetables are sold for food, within the cities of Washington or Georgetown, shall fail to keep said stall, room, or stand in a cleanly condition; nor shall such person allow said meats or vegetables to become poisoned, or infected, or unfit for food, by reason of uncleanly condition of such stall, room, or stand; and any person violating the provisions of this section shall, upon conviction, be punished by a fine of not less than ten nor more than twenty-five dollars for each and every such offense.

SEC. 7. That no person shall offer for sale, within the cities of Washington or Georgetown, any unwholesome, watered, or adulterated milk, or swill-milk, or milk from cows kept up and fed on garbage, swill, or other deleterious substance; nor shall any person offer for sale within said cities any butter or cheese made from such unwholesome milk; and any person violating the provisions of this section shall, upon conviction

tion, be punished by a fine of not less than five nor more than twenty dollars for each and every such offense.

SEC. 8. That on and after the passage of this ordinance it shall be unlawful for any person or persons to sell or expose for sale, within the cities of Washington and Georgetown, any unsound, blown, or unwholesome meat, or other article of food, under a penalty of not less than five nor more than twenty-five dollars for each and every such offense.

AN ORDINANCE to provide for the inspection of streets, food, live-stock, fish and other marine products in the cities of Washington and Georgetown, and to define the duties of inspectors and other officers of the Board of Health.

Be it ordained and enacted by the Board of Health of the District of Columbia, That there shall be appointed by the board of health a health-officer and such inspectors as may be required, who shall be assigned to the several duties of inspection of streets, of food, of live-stock, of fish and other marine products, or detailed for the performance of such other duties as may be necessary.

SEC. 2. That it shall be the duty of the health-officer, as he may be directed by this board, to execute or cause to be executed the ordinances, resolutions, and orders of the board, and generally, according to its instructions, to exercise a practical supervision in respect to inspectors, pound-masters, and the clerical force in his office; and said health-officer shall devote his services to the aforesaid purposes as the board may direct.

SEC. 3. That it shall be the duty of each inspector of streets to visit every part of his district daily, and carefully inspect all streets, alleys, yards, and inclosures, horse and cow stables, privies, slaughter-houses, wharves, and every other place where offensive or deleterious matter may exist, and to report promptly to the health-officer any and all nuisances injurious to health; and the inspectors of streets shall perform such other duties and special inspections as may be directed by the health-officer.

SEC. 4. That it shall be the duty of each inspector of food to attend the market or markets within his inspection-district every morning, at the time when sales commence, and carefully inspect all meats, fowl, game, and vegetables offered for sale, and condemn, seize, and cause to be removed such as may be diseased, or from any other cause rendered unfit for food. He shall also visit, as early as practicable each day, every green-grocery or other place within the district, where articles of food are kept for sale, and perform his duty of inspection, condemnation, seizure, and removal as hereinbefore prescribed. He shall report his official proceedings daily to the health-officer, and in the performance of his duties shall be under the direction of said officer; and the inspectors of food shall perform such other duties and special inspections as may be directed by the health-officer.

SEC. 5. That it shall be the duty of the inspector of live-stock to carefully inspect all cattle, hogs, sheep, or other animals intended to be killed and sold for consumption as food in the cities of Washington and Georgetown, and to condemn all such as may be diseased, or from any other cause rendered unfit for food; and it is hereby made the duty of said inspector to brand with the letter "C" all cattle, hogs, sheep, or other animals condemned as aforesaid, and said inspector shall report his official proceedings daily to the health-officer.

SEC. 6. That it shall be the duty of the inspector of fish and other

marine products to examine and inspect all fish, oysters, clams, lobsters, crabs, and other marine products, landing by boat, arriving by rail, or otherwise brought by any person or persons into the cities of Washington and Georgetown; and if, upon such inspection, said inspector shall find any of the said marine products to be in an unsound, diseased, or unwholesome condition, it shall be his duty to prohibit their sale; and the said inspector of fish is hereby authorized, empowered, and directed to condemn, seize, and remove any unsound, diseased, or unwholesome fish, oysters, clams, lobsters, crabs, or other marine products which may be offered for sale as food within the cities of Washington and Georgetown.

SEC. 7. That in the performance of the duties herein prescribed the inspector of fish shall be, and is hereby, authorized and empowered to board all boats, vessels, steamboats, and cars, and to stop all vehicles believed by him to contain fish or other marine products, for the purpose of enforcing the provisions of this ordinance, and said inspector shall report his official proceedings daily to the health-officer.

SEC. 8. That upon any cattle, meat, birds, fowls, fish or other marine products, vegetables, or other articles of food being found by any inspector or other officer of the Board of Health in a condition which is, in his judgment, unwholesome and unfit for use as human food, or in a condition or of a quality forbidden by the ordinances of this board, but with respect to the quality and condition of which articles of food said inspector or other officer may be in doubt, he shall forbid the sale thereof, and order that the same be set aside, and shall at once notify the health-officer of such action; and if, upon inspection, the health-officer shall concur in the judgment of the inspector or other officer aforesaid, said health-officer shall prohibit the sale and order the removal of said articles, according to the regulations of the Board of Health; and if the health-officer shall not concur in the judgment of the inspector or other officer aforesaid, the sale of said articles shall be allowed. But if, upon inspection, the health-officer is in doubt as to whether said articles should be condemned or not, then the committee on food-inspections of the Board of Health shall decide whether or not said articles shall be condemned and the sale thereof forbidden: *Provided*, That no article of food, in a decayed or offensive condition, shall be allowed to remain where found, but the same shall be caused to be removed forthwith by the inspector or officer aforesaid, according to the rules and regulations of the Board of Health.

SEC. 9. That any person who shall molest, hinder, or in any manner prevent said health-officer or any inspector appointed by this board from performing any duty imposed upon him or them by the provisions of this ordinance, shall be punished by a fine of not less than twenty nor more than one hundred dollars for each and every such offense.

AN ORDINANCE to amend section 10 of the code, so as to read:

SECTION 10. *And be it further ordained and enacted*, That drain-pipes, soil-pipes, or passages into sewers, which are of inadequate and insufficient size, or which are not provided with proper sewer-traps, within the District of Columbia, are hereby declared nuisances, injurious to health; and any person or persons, whether owner or tenant (board, department, or corporation officer), using or possessing any drain-pipe, soil-pipe, passage or connection between any sewer and any ground, building, or place of business, who shall fail to make such drain-pipe, soil-

pipe, passage or connection of adequate or sufficient size to allow the free and entire passage of all that enters or should enter the same, *and provide them with proper sewer-traps*; and who shall fail, after notice duly served upon him, to supply such pipes of adequate and sufficient size, *and provided with proper sewer-traps*, shall be deemed guilty of keeping and maintaining a nuisance, and, upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than ten dollars.

Passed July 30, 1875.

AN ORDINANCE to amend ordinance passed May 13, 1873, to read as follows:

SECTION 1. That all water-closets and privies connected with any house, building, or premises within the District of Columbia, in and upon which people live, or where they do congregate or assemble, or any kind of business is done, kept in an uncleanly and foul condition, and from which offensive smells and noxious gases arise, and all water-closets located within and being a part of any such house or building not provided with proper sewer-traps, so as to prevent the return and escape of noxious gases and offensive odors from any public or private sewer connected therewith, are hereby declared to be nuisances, injurious to health; and any person creating, keeping, and maintaining such nuisance, after due notice served upon him by this board to abate the same within twenty-four hours or within such reasonable time as may be determined by this board, shall, upon conviction thereof, be punished by a fine of not less than five dollars nor more than twenty-five dollars for each and every day such nuisance is allowed to remain unabated.

Passed July 30, 1875.

AN ORDINANCE to prevent committing or creating nuisances in or about public urinal or urinals located within the cities of Washington and Georgetown.

Be it ordained and enacted by the Board of Health of the District of Columbia, That fecal matter deposited in or about any public urinal or urinals located within the cities of Washington or Georgetown, defecating in or about said urinal or urinals, or obstructing the same in any manner or by any means whatever, are hereby declared to be nuisances, injurious to health; and any person convicted of committing or creating either of said nuisances shall be fined not less than ten dollars nor more than fifty dollars for every such offense.

Passed December 28, 1876.

Rules and regulations in regard to small-pox.

THE DISEASE.

The essential nature of small-pox is to diffuse itself, and, under certain favorable conditions, it is not only communicable from person to person, but capable of being transported to great distances.

To prevent the propagation of the specific poison, the following sanitary regulations have been adopted by the Board of Health and approved by the Governor of the District of Columbia:

VACCINATION.

Parents and guardians shall cause their children and wards to be vaccinated before they attain the age of two years, and revaccinated when-

ever the Board of Health shall, after five years from the last vaccination, require it.

The Board of Health hereby orders and requires the vaccination of all the inhabitants in the District of Columbia, and, whenever in their opinion the public health demands it, the revaccination of all persons who do not furnish satisfactory evidence that they have been successfully vaccinated or revaccinated within five years.

The Board of Health will furnish the means of vaccination to such persons as are unable to pay for the same. For this purpose the physicians to the poor, or their assistants, will be directed to vaccinate the poor gratuitously; and, whenever the exigency requires it, physicians will be employed to go from house to house for the purpose of vaccinating all people who need vaccination.

Principals of incorporated manufacturing companies, superintendents of almshouses, reform and industrial schools, lunatic-hospitals, and of all other charities where the poor and sick are received; masters of houses of correction, jailers, keepers of prisons, and directors or officers of all institutions supported or aided by the District of Columbia, shall, at the expense of their respective corporations or institutions, cause all inmates thereof to be vaccinated immediately upon their admission thereto, unless they produce sufficient evidence of previous successful vaccination having taken place within five years.

ISOLATION.

Small-pox being eminently contagious and infectious, isolation forms an imperative necessity for the prevention of its propagation. Whenever, therefore, a case of small-pox occurs in a dwelling containing more than two inhabitants, it shall be the duty of the head of the family to select the most remote apartment for the occupancy of the person afflicted with small-pox—the highest room in the dwelling to be preferred.

And whenever, in a tenement-house and lodging-house, boarding-house, or hotel, the person afflicted by the small-pox cannot be isolated to the satisfaction of the health-officer, said person shall be removed to the small-pox hospital by agents employed for the purpose by the Board of Health.

WARNING-SIGNS.

Wherever a case of small-pox breaks out in any dwelling or place, the warning-flag (made of yellow flannel) shall be attached to, and exposed from, the premises occupied by said case, as a warning to the passer-by of the presence of small-pox in that locality. And if the yellow flag be not immediately attainable, a placard, on which is written, in large and legible letters, "Small-pox here," shall be fastened upon an exposed part of the infected house or dwelling.

DISINFECTION.

It shall be the duty of those in whose dwellings small-pox occurs to fumigate the house, and the room of the patient, with sulphur three times a day; to cleanse and disinfect every part of the dwelling by the free use of chlorinated soda, carbolic acid, bromo chloralum, or such other disinfectant as the Board of Health may direct.

A cloth of the size of a square yard, steeped in a solution of chlorinated soda, carbolic acid, or bromo chloralum, shall be hung in the patient's room and kept constantly saturated with the said disinfectants.

CARE OF THE SICK-ROOM.

The room of the patient shall be kept thoroughly ventilated, and no other person than a nurse who has had the small-pox, or a member of the family, shall be allowed to enter the same. Persons being in attendance upon the sick shall not come in contact with other inmates or persons, unless they have been previously properly fumigated and disinfected, and have changed the clothing worn by them while in the sick-room.

It shall be the duty of said attendants to see that no clothing is conveyed from the sick-room that has not been previously disinfected and fumigated. And, moreover, all clothing in said room, or worn by the patient while affected by small-pox, shall be kept distinct and separate, and shall be given out to be washed only to persons who have had the small-pox, the fact to be stated in every instance that they are from a small-pox patient, and must, therefore, be kept and washed separately.

NOTICE TO THE BOARD OF HEALTH.

It is the duty of every good citizen immediately to notify the Board of Health of every case of small-pox coming to his knowledge. But it is especially enjoined by law upon the proprietors of tenement-houses, lodging-houses, boarding-houses, and hotels, to notify the Board of Health of the presence of small-pox in their respective abodes, under penalty of fine and imprisonment, and this law against all persons concerned will be strictly enforced.

INTERMENTS.

It shall be the duty of the citizen to immediately notify the Board of Health of the death of any person from small-pox, of which he may have knowledge, and no one except such as may have had the small-pox, and the officers of the Board of Health assigned to that duty, shall take charge of, dress, or bury the body of the person who has thus died.

The interment of persons dying from small-pox shall take place within six hours after death, or as soon as the circumstances of the case will allow; and no person who has died of small-pox shall be buried in private or public cemeteries or burying-grounds without a permit from the Board of Health, a member of the same, or the health-officer.

Whenever funeral obsequies may be desired, the body shall be placed in a hermetically-sealed metal coffin, and no person will be allowed to be present at said obsequies or follow the corpse to the grave except the nearest kin-relations; and under no circumstances shall a corpse infected with small-pox be taken to a church or meeting-house, but it shall be conveyed directly from the house to the grave.

When people are so poor as to be unable to incur the expense of coffin and burial, any undertaker appointed to furnish coffins to the poor shall provide the coffin, and in every case shall take the same to the house in which the corpse lies, but shall not place said corpse in the coffin, or take any part in laying out the dead, unless he has had the small-pox, and properly fumigated and disinfected his clothing. The laying-out of the body and the burial shall be done by the officers appointed for that purpose by the Board of Health.

SMALL-POX AMBULANCE, INSPECTORS HAVING CONTROL OF THE SAME,
AND DRIVER THEREOF.

The small-pox ambulances shall be kept at the small-pox hospital.

The ambulance shall be accompanied by an inspector whenever needed for the removal of small-pox patients or otherwise.

The inspector accompanying the ambulance and the driver are forbidden from entering street-cars or any public conveyance.

They shall also keep a suit of clothing to wear during the service of removing small-pox patients; said suit of clothing to be kept fumigated and disinfected at all times, and under no circumstances shall they wear the said clothing when off duty.

The inspector attending to small-pox patients and the driver of the ambulance shall, until otherwise ordered, wear a linen suit while on duty.

The inspector detailed to attend to the removal of small-pox patients shall fumigate and disinfect the dwellings where small-pox cases occur. He shall see that the clothing is properly disinfected, packed up, carried safely to the ambulance, and destroyed. He shall keep an account of the clothes or furniture of poor persons which have been destroyed, the probable value of the same, and the names of the parties to whom they belong, and give a receipt for the same.

Under no circumstances shall the ambulance be allowed to tarry in the streets, except for such length of time as will be required to remove the patient or the body.

The ambulance shall not be taken to any place for repair; but, if repair is needed, a person having had the small-pox shall be engaged to mend it *at its regular depository*.

In driving the ambulance to any point, care shall be taken to avoid crowded streets, school-houses, or frequented places. The driver shall, as far as practicable, keep out of crowded thoroughfares, and shall avoid meeting or passing any procession, funeral, or large concourse of people.

The inspector shall display the yellow flag from every dwelling containing small-pox; and if said flag be taken away without authority, the health-officer must be immediately notified of the fact.

The inspector of each district shall be notified of the presence and locality of small-pox cases in his district; and it shall be his duty to see that the quarantine regulations relating to houses having the small-pox within are properly enforced, and that no person exposed to the contagion be allowed to go out of the dwelling or come in contact with any other person.

The inspector shall, in an urbane manner, inform the people of the quarantine regulations imposed by the Board of Health regarding small-pox, but shall cause no unnecessary hardship.

The inspector detailed to attend to the small-pox shall first ascertain whether the case can be isolated in the dwelling, so as not to expose the other inmates to the disease.

Whenever a patient in a tenement, lodging-house, boarding-house or hotel is so situated that he cannot be isolated from other inmates, he or she shall be removed and taken to the hospital; and if any person interferes with the execution of this order, or the patient refuses to obey, the law shall be enforced against such person or persons.

If it come to the knowledge of any inspector that cases of small-pox are kept in tenement-houses, lodging-houses, boarding-houses, or hotels without the proper notice having been given to the Board of Health as required by law, the inspector shall make immediate report to the health-

officer, stating the name of the person or persons causing or abetting in the violation of this law.

In all cases where there is doubt whether a person is really afflicted with small-pox, a physician's opinion should be secured before removing the patient.

The inspector shall see that the rules regarding the interment of persons who die of small-pox be complied with.

The foregoing rules and regulations are made and promulgated by the Board of Health of the District of Columbia, in accordance with an act entitled "An act for the prevention of diseases in the District of Columbia," passed by the legislative assembly of said District, and approved by the governor thereof, June 19, 1872.

CHRIS. C. COX, M. D., LL. D.,
President Board of Health.

Attest:

D. W. BLISS, M. D.,
Secretary.

Approved:

H. D. COOKE,
Governor.

DISTRICT OF COLUMBIA, BOARD OF HEALTH,
Washington, D. C., December 26, 1872.

It is hereby ordered and resolved by the Board of Health of the District of Columbia, That the "rules and regulations in regard to small-pox," heretofore made and promulgated by the Board of Health aforesaid, and approved by the governor of said District, be amended as follows, to wit:

PHYSICIANS ATTENDING UPON SMALL-POX PATIENTS.

It shall be the duty of every physician resident of the District of Columbia, or otherwise, attending upon any person affected by small-pox within said District, to report to the Board of Health said case of small-pox within twelve hours after his first visit and discovery of the disease of said person; the name and residence of said person; and whether the room or residence in which said person may be situated and attended has been and is fumigated and disinfected according to the "rules and regulations" aforesaid.

CHRIS. C. COX, M. D.,
President Board of Health.

Attest:

D. W. BLISS, M. D.,
Secretary.

Approved:

H. D. COOKE,
Governor.

Regulations to prevent the spread of small-pox.

Resolved, That all school trustees, school teachers, or others having authority, are forbidden to receive into or allow to attend any school, public or private, within the District of Columbia, any pupil not vacci-

nated, as required by the "rules and regulations" heretofore made and promulgated by this board.

Passed February 14, 1873.

Approved by the Governor, February 14, 1873.

Act and regulations with regard to vital statistics.

AN ACT to further define and enlarge the powers and duties of the Board of Health of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Board of Health of the District of Columbia to make and enforce regulations to secure a full and correct record of vital statistics, including the registration of deaths and the interment of the dead in said District.

Approved June 23, 1874.

In accordance with the foregoing act of Congress, and in pursuance of authority thereby conferred, the following regulations are made and promulgated for the information and guidance of all concerned :

Regulations to secure a full and correct record of vital statistics, including the registration of marriages, births, and deaths, the interment, disinterment, and removal of the dead in the District of Columbia.

It is hereby ordered by the Board of Health of the District of Columbia, that there shall be elected or appointed from its members, as the Board may direct, an officer named and known as the registrar of vital statistics of the District of Columbia, but who may be designated registrar, and who shall, under the direction of said board, keep a full and correct record of vital statistics, issue such permits as are hereinafter required, make and publish a weekly statement of births, marriages, and deaths in said District, and perform such other duties as are hereinafter provided.

Second. That it shall be the duty of every clergyman, magistrate, or other person who shall perform any marriage ceremony within the District of Columbia, to report each marriage ceremony solemnized by him to the registrar aforesaid, within forty-eight hours thereafter, giving the full name, age, color, occupation, birthplace (State or Country), and legal residence of each person married, and the date of such marriage.

Third. That any physician, accoucheur, midwife, or other person in charge who shall attend, assist, or advise at the birth of any child within the District of Columbia, shall report to the registrar aforesaid, within six days thereafter, stating distinctly the date of birth, sex, and color of the child or children born, its or their physical condition, whether still-born or not, the full name, nativity, and residence of the parents, and the maiden name of the mother of such child or children.

Fourth. That whenever any person shall die within the District of Columbia it shall be the duty of the physician attending such person during his or her last sickness, or of the coroner of the District when the case comes under his official notice, to furnish and deliver to the undertaker, or other person superintending the burial of said deceased

person, a certificate, duly signed, setting forth, as far as the same may be ascertained, the name, age, color, sex, nativity, (giving State or Country,) occupation, whether married or single, duration of residence in the District of Columbia, cause, date, and place of death, (giving street and number,) and duration of last sickness of such deceased person. And it shall be the duty of the undertaker, or other person in charge of the burial of such deceased person, to state in said certificate the date and place of burial, and having signed the same, to forward it to the registrar aforesaid within twenty-four hours after such death: *Provided*, That in case of death from any infectious or contagious disease said certificate shall be so made and forwarded within eight hours thereafter.

Fifth. That no interment or disinterment of the dead body of any human being, or disposition thereof in any tomb, vault, or cemetery shall be made within the District of Columbia without a permit therefor, granted by the Board of Health of said District, nor otherwise than in accordance therewith. And no sexton or other person shall assist in or assent to, or allow any such interment or disinterment to be made until such permit has been given, as aforesaid; and it shall be the duty of every sexton or other person having charge of any burying-ground, cemetery, tomb, or vault, as aforesaid, who shall receive any such permit, to preserve and return the same to the registrar aforesaid, before 6 o'clock p. m. of the Saturday following the day of burial; and no sexton, undertaker, or other person shall bury, or cause to be buried, the body of any deceased person within the District of Columbia, except in such grounds as are now known and used as burial-grounds, or such as shall hereafter be by law designated and authorized to be used as such.

Sixth. That no dead body, or part of the dead body of any human being shall be in any manner carried or conveyed from, in, to, or through the District of Columbia, by any person, or by means of any boat, vessel, car, stage, or other vehicle, or by public or private conveyance, without a permit therefor first granted by the Board of Health of said District; and when the remains of any deceased person, are to be conveyed, transferred, or removed beyond the limits of the District of Columbia, it shall be the duty of the person, or agent or officer of the corporation having charge of the conveyance, transfer, or removal, to detach, sign, and return the coupon attached to said permit to the registrar of vital statistics of the Board of Health aforesaid, before 5 o'clock p. m. of the Saturday following the conveyance, transfer, or removal of said remains: *Provided*, That the same effect may be given by said board to a burial or transit permit issued by the proper authority of any other place or jurisdiction, when the death of the person named in the permit shall have occurred within such place or jurisdiction.

Seventh. That whenever a permit for burial is applied for, in case of death without the attendance of a physician, or if it be impossible to obtain a physician's certificate, it shall be the duty of the health-officer to investigate the cause and circumstances of such death, to make and sign the certificate required by section 4 of these regulations, and if not satisfied as to the cause and circumstances of such death, he shall so report to the Board of Health, who shall refer the case to the coroner of the District for investigation and report, and said coroner is hereby required to make such investigation and report.

Eighth. That it shall be the duty of every physician, accoucheur, midwife, undertaker, sexton or superintendent of any cemetery, or other person having charge of the same, practicing medicine or doing business

within the District of Columbia, to register his or her name in a book or books to be provided for such purpose, at the office of the Board of Health of said District, giving full name, residence, and place of business, and in case of removal from one place to another in said District, to make change in said register accordingly.

Ninth. That any person who shall violate, or aid and abet in violating, any of the provisions of the foregoing regulations, shall, upon conviction thereof by competent judicial authority, be punished by a fine of not less than twenty-five nor more than two hundred dollars for each and every such offense.

Tenth. That all rules, regulations, and ordinances heretofore passed by this board inconsistent with the provisions of these regulations be, and the same are hereby, repealed.

Eleventh. That these regulations shall take effect and be in force on and after the first day of August, A. D. 1874.

DISTRICT OF COLUMBIA BOARD OF HEALTH,
Washington, August 28, 1874.

It is hereby ordered that physicians required to register their names under the 8th regulation of the board, to secure a full and correct record of vital statistics, do so upon a license received from some chartered medical society or upon a diploma received from some medical school or institution.

Second. That the expression "physical condition," as employed in the statute heretofore enacted by the legislative assembly of the District, and incorporated in the 3d regulation, be defined as follows: "*The general physical condition, whether healthy or unhealthy.*" But in no case will the board require in the enforcement of this rule that sick-bed or confidential communications made to physicians be revealed in the report required by this 3d regulation.

Third. That on and after the 15th day of next month, by which time all physicians of the city may have registered according to the requirements of the board, the regulation with regard to penalties be rigidly enforced; and that up to that date the regulation with regard thereto, as far as any violations thereof have occurred, and as far as this Board is concerned, as prosecutors, the same be not enforced.

